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08 AUG 11 AM 8:05
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 KEVIN BURTON
2 # C-38062
3 R.T. DONOVAN STATE PRISON
4 P.O. Box 799007
5 SAN DIEGO, CA 92179

United States District Court
Northern District of California

RECEIVED
AUG 11 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN BURTON

Plaintiff,

vs.

CALIFORNIA Department of
Corrections AND
Rehabilitation, et al.,
Defendants

CASE NO: C 07-4967 PJH
(PR)

Plaintiff's FIRST SET OF
INTERROGATORIES
TO DEFENDANTS

PURSUANT TO Rule 33 of the Federal Rules of Civil Procedure
AND order of this court, Plaintiff KEVIN BURTON, (hereinafter
"BURTON"), hereby requests that Defendants answer the following
interrogatories under oath, IN accordance with the Definitions
AND Instructions set forth below, WITHIN thirty (30) calendar days
after service of these Interrogatories.

Definitions AND Instructions

(A) As used herein, the term "document" means every type of recorded
information dated or prepared prior to or subsequent to this action,
including but not limited to ANY memorandum, note, report, letter,
correspondence, message, record, minutes, work sheet, draft,
instruction, work assignment, internal communication, order, and any
other written, recorded, electronic, or graphic material however

1 produced or reproduced and, in the absence of the original, a
2 copy thereof and any copy bearing markings not present on
3 the original or other copy thereof.

4 (b) The word "Incident" includes the circumstances and events
5 surrounding the alleged events at issue and other occurrences
6 giving rise to this action, against Plaintiff.

7 (c) The word "Identify" as used with respect to any documents is
8 understood to mean the following: 1) title; 2) date; 3) name and
9 position of originator; 4) name and position of any and all recipients;
10 5) name and position of any other person who received copies or any
11 portion of the document in question; 6) description of the document
12 subject matter and contents; 7) location of the document; 8)
13 name and position of the custodian of the document.

14 (d) The word "Identify" as used with respect to any person, is
15 understood to mean the following information is to be provided:
16 1) full name; 2) present or last known address; (work addr.),
17 3) present or last known business address; 4) occupation and
18 title; and 5) present or last known employer.

19 Interrogatories

20 1. Identify any and all documents relating to S.V.S.P. (D.O.R.)
21 administration segregation unit admission policies and
22 procedures;

23 2. Identify any and all documents relating to S.V.S.P. (D.O.R.)
24 administration segregation unit holding cage policies
25 and procedures.

26 3. Identify any and all documents relating to S.V.S.P.
27 (D.O.R.) administration segregation unit policies and procedures
28 concerning "Conditions of Segregated Housing".

4. Identify any and all documents relating to S.V.S.P. (D.O.R.)

- 1 Administration Segregation Unit, "Administrative
- 2 Segregation Records" Policies and Procedures.
- 3 5. Identify any and all documents relating to S.V.S.P.
- 4 (C.D.C.R.) Administration Segregation Unit policies and procedures
- 5 relating to, concerning, officer IN Charge.
- 6 6. Identify any and all documents relating to S.V.S.P. (C.D.C.R.)
- 7 Administration Segregation Unit policies and procedures
- 8 relating to Administrative Visitation.
- 9 7. Identify any and all documents relating to S.V.S.P. (C.D.C.R.)
- 10 Relating to "Chief Executive Officer." Policies & Procedures
- 11 8. Identify any and all document relating to S.V.S.P. (C.D.C.R.)
- 12 "Medical care Responsibilities" policies and procedures.
- 13 9. Identify any and all documents relating to prison Medical
- 14 care Responsibilities policies and procedures concerning prison
- 15 medical care staff training and education.
- 16 10. Identify any documents, any parties (Correctional officers)
- 17 First and last name, and position, who were on duty,
- 18 worked in S.V.S.P. Administration Segregation Unit,
- 19 Specifically: Facility-D, Building Eight (8) on the
- 20 Dates of, JAN 11, 2005, JAN 12, 2005, JAN 13, 2005,
- 21 JAN 14, 2005, JAN 15, 2005, JAN 16, 2005, JAN 17,
- 22 2005, and JAN 18, 2005.
- 23 11. Identify any and all documents any parties (Correctional
- 24 officers) First and last name, and position who were
- 25 scheduled for duty at S.V.S.P. Administration Segregation
- 26 Unit, Specifically: Facility-D Building 8, on the dates
- 27 of JAN 11, 2005 till JAN 18, 2005.
- 28 12. Identify any and all documents any parties, Medical
- staff, First and last name and position who were
- on duty, worked in S.V.S.P. Administration Segregation

1 Unit, specifically: facility-D-Building 8., on the
2 dates of JAN 11, 2005. JAN 12, 2005. JAN 13, 2005. JAN 14,
3 2005. JAN 15, 2005. JAN 16, 2005. JAN 17, 2005. JAN 18,
4 2005.

5 13. Identify any and all documents any parties, "Medical
6 Staff," First and Last Name, who were scheduled for duty
7 at S.V.S.P. Administration Segregation Unit, specifically:
8 facility-D, Build 8, on the dates of JAN 11, 2005. till
9 JAN 18, 2005.

10 14. Identify any documents related to any complaint,
11 grievance, criticism, censure, reprimand or rebuke
12 directed toward all defendants and Medical Staff,
13 prior to or subsequent to the Incident giving rise
14 to this proceeding.

15 Dated: August 5, 2008

16
17 By: Kevin Burton
18 KEVIN BURTON #C-38062
19 R.T.D. PRISON
20 SAN Diego, CA 92119
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1 KEVIN BURTON
2 CDCR # C-38062
3 R.J. DONOVAN STATE PRISON
4 P.O. BOX 799007
5 SAN DIEGO, CA 92179

6 UNITED STATES DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8 KEVIN BURTON
9 Plaintiff
10 V.

CASE NO: C07-4967 PJH
(PR)

11 CALIFORNIA DEPARTMENT OF
12 CORRECTIONS AND
13 REHABILITATIONS, et al.,
14 Defendants

Plaintiff's FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS

15
16 PURSUANT to Rule 34 of the federal Rules of Civil
17 Procedures, Plaintiff requests that Defendants produce
18 for Inspection and copying, the documents and tangible
19 things Identified below within thirty (30) calendar days
20 of the service of this document request.

21 1. Any and all S.V.S.P. Administration Segregation, Facility
22 D- Building 8, records of Plaintiff Kevin BURTON CDCR# C-38062
23 FROM JANUARY 11, 2005, through and Including the date of
24 your response to this request.

25
26 2. Any and all policies, procedures, regulations, Instructions,
27 Notes, Memoranda, Internal Communications and directives
28 IN effect from JAN 11, 2005, through and Including the

1 Date of your response to this request concerning
2 Plaintiff's BURTON'S CONFINEMENT IN ADMINISTRATION
3 Segregation Unit at Salinas Valley State Prison at
4 Soledad California.

5 3. Any Notes, documents, Medical Records, Memoranda,
6 files, records, record books, log books, grievance reports
7 or written communications concerning complaints made
8 against S.V.S.P. Defendants in this incident.
9

10
11 Dated: August 5, 2008
12

13
14 By: Kevin Burton
15 KEVIN BURTON #C 38062
16 R.J.D. PRISON
17 SAN DIEGO, CA 92179
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VERIFICATION

STATE OF CALIFORNIA
COUNTY OF

(C.C.P. SEC.446 & 201.5; 28 U.S.C. SEC. 1746)

I, KEVIN BURTON #C-38062 DECLARE UNDER PENALTY OF PERJURY
THAT: I AM THE PLAINTIFF IN THE ABOVE ENTITLED ACTION;
I HAVE READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND THE SAME IS
TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED THEREIN UPON INFORMATION, AND
BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

EXECUTED THIS 5th DAY OF: AUGUST 20 AT R. J. DONOVAN
STATE PRISON, SAN DIEGO, CALIFORNIA 92179
P.O. Box 799002
(SIGNATURE) Kevin Burton
(DECLARANT/PRISONER)

PROOF OF SERVICE BY MAIL

(C.C.P. SEC.1013 (a) & 2015.5; 28 U.S.C. SEC.1746)

I, Lonnie Thomas AM A RESIDENT OF R. J. DONOVAN STATE PRISON
SAN DIEGO, STATE OF CALIFORNIA. I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE AND AM / NOT
A PARTY OF THE ABOVE-ENTITLED ACTION. MY STATE PRISON ADDRESS IS: P.O. BOX 799002 SAN DIEGO, CA
92179

ON 8-5-08 20 I SERVED THE FOREGOING: Plaintiff's first set
Of Interrogatories To Defendants. Plaintiff's first Request For Production
Of Documents.

(SET FORTH EXACT TITLE OF DOCUMENTS SERVED)

ON THE PARTY (S) HEREIN BY PLACING A TRUE COPY (S) THEREOF, ENCLOSED IN A SEALED ENVELOPE (S),
WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES MAIL, IN A DEPOSIT BOX SO PROVIDED
AT

Addressed to each such addressee respectively as follows:

Office of the Attorney General
455 Golden Gate Ave Suite 1100
SAN FRANCISCO, CA 94102-7004

U.S. District Court of California
Northern District of California
Office of the Clerk
450 Golden Gate Ave
SAN FRANCISCO, CA 94102

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED, AND THERE IS
REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING AND THE PLACE SO ADDRESSED.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

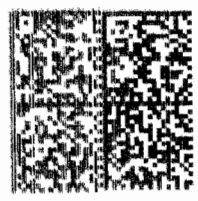
DATE: August 5, 2008Kevin Burton

(DECLARANT/PRISONER)

KEVIN BUFFORD #C-58862
J. DONOVAN STATE PRISON
P.O. Box 799002
SAN DIEGO, CA 92179

Legal Mail

STATE PRISON



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08/06/2008
Mailed From 92179
US POSTAGE

U.S. District Court of California
Northern District of California
Office of the Clerk

450 Golden Gate Ave.

5410283421 0004
SAN FRANCISCO, CA 94102

Handwritten signature: *John J. [illegible]*